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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING**

**UNITED STATES OF AMERICA,**

Plaintiff,

**v.**

**SCOTT MICHAEL LEWIS and  
GILBERT WAYNE WILES, JR.,**

Defendants.

**Criminal No. 16-CR-19-J**

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**Government's Second Motion to Continue Trial**

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The United States hereby submits its second motion to continue trial in the above-captioned case. The United States originally made this motion orally at the motions hearing on April 8, 2016. The United States respectfully requests the trial presently scheduled for April 18, 2016, be rescheduled for April 25, 2016.

1. Based on the analysis set forth in the United States' first motion to continue, (ECF No. 48), a continuance until April 25, 2016, would be proper under the Speedy Trial Act. Defense pretrial motions, which remain under advisement, have generated automatically excludable time under 18 U.S.C. § 3161(h)(1)(D) and (H).

2. The undersigned believes this court currently has two trials scheduled for April 25, 2016: *United States v. Castleman*, 15-CR-99-J; and *United States v. Parsons*, 16-CR-4-J.

3. In *Castleman*, a change-of-plea hearing has been scheduled for April 11, 2016, at 11:00 am. (15-CR-99-J, ECF No. 28). The undersigned therefore believes *Castleman* will not proceed to trial on April 25.

4. Regarding *Parsons*, the undersigned consulted with counsel of record in that case, Assistant United States Attorney (AUSA) James C. Anderson and Assistant Federal Public Defender Daniel G. Blythe. Neither Mr. Anderson nor Mr. Blythe anticipates a trial in the case. The undersigned therefore believes *Parsons* will not proceed to trial on April 25.

5. The requested continuance would benefit the United States and serve the interest of justice by facilitating AUSA Lisa E. Leschuck's attendance as co-counsel during the trial. While the present motion does not seek an "ends of justice" continuance, continuity of counsel is a factor under 18 U.S.C. § 3161(h)(7)(B)(iv), which weighs in favor of granting the present motion.

6. The requested continuance would further benefit the United States and serve the interest of justice by providing additional time to arrange for the presence of witnesses, several of whom will be traveling from out of state.

7. The requested continuance would further benefit the United States and serve the interest of justice by providing additional time for the parties to prepare and file voir dire questions and jury instructions, a somewhat novel exercise given the charged offenses. Again, while the present motion does not seek an "ends of justice" continuance, one of the "ends of justice" factors is whether the case involves "novel questions of . . . law," which weighs in favor of granting the present motion. *See* § 3161(h)(7)(B)(ii).

8. The requested continuance would further serve the interest of justice by providing the Defendants additional time to review forthcoming discovery in the case.

9. As he indicated at the motions hearing on April 8, Defendant Scott Michael Lewis does not object to this motion.

10. As he indicated at the motions hearing on April 8, Defendant Gilbert Wayne Wiles, Jr., objects to this motion. However, this court has already accommodated Mr. Wiles in this case by extending his motions deadline by twenty days from March 3, 2016, until March 23, 2016. (ECF Nos. 26, 29). Mr. Wiles filed three motions on March 23 and joined two other motions on March 25, which generated excludable time. The United States devoted considerable time responding to these motions. Thus, because Mr. Wiles received additional time to prepare and file his pretrial motions, and because these motions contributed to excludable time under the Speedy Trial Act, this court should overrule Mr. Wiles' objection to the requested continuance.

11. For the reasons set forth above and at the motions hearing on April 8, the United States respectfully requests that trial in this matter be continued until April 25, 2016.

DATED this 11th day of April, 2016.

Respectfully submitted,

CHRISTOPHER A. CROFTS  
United States Attorney

By: /s/ Thomas Szott  
THOMAS SZOTT  
Assistant United States Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that on April 11, 2016, the foregoing was electronically filed and consequently served on defense counsel.

/s/Kylie Severns  
For the United States Attorney's Office